

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

JUAN DIAZ,

Defendant.

14-CR-442-1 (JMF)

ORDER


JESSE M. FURMAN, United States District Judge:

On May 15, 2020, the Court received the attached letter from Defendant, proceeding *pro se*, seeking immediate release in light of the COVID-19 pandemic. Out of an abundance of caution, the Court concludes that it would be appropriate to appoint counsel for Defendant pursuant to the Criminal Justice Act (“CJA”). Accordingly, unless and until Defendant objects, Karloff C. Commissiong—the CJA lawyer on duty today—is appointed to represent Defendant in connection with the any application relating to COVID-19. Mr. Commissiong shall immediately contact Defendant by telephone to advise him of this Order and confirm that he is willing to be so represented (the alternatives being to continue to proceed *pro se* or to retain counsel), and shall promptly file a letter indicating whether Defendant consents or objects to such representation.

Unless and until the Court orders otherwise, counsel shall file any supplemental papers on Defendant’s behalf no later than **May 26, 2020**. The Government shall file any opposition by **June 1, 2020**, and Defendant shall file any reply by **June 4, 2020**.

SO ORDERED.

Dated: May 18, 2020  
New York, New York

  
JESSE M. FURMAN  
United States District Judge

4-20-2020

Honorable Judge Jesse M. Furman

I respectfully submit this letter today in hope of Clarification, and a granted order in your Signature. On 11-26-2019 my certificate of appealability was granted. Since this day several documents and events has occurred, starting with a new Case manager, Motion to Vacate, Correct, or set aside, Motion for assignment of Pro Bono Counsel, Scheduling notification on my behalf, along with Mr. Won S. Shin, Substitution for attorney Sarah Kathleen Eddy.

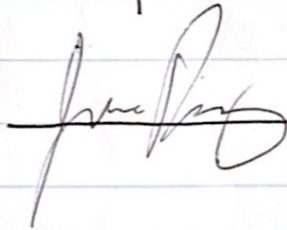
Due to this sudden tragic Coronavirus Pandemic that has taken over our Country and the world, like all inmates, I am petrified right now of Contracting this virus while being imprisoned. Prisoners are at a higher risk of Contracting this Coronavirus in an enclosed environment. While the BOP is doing everything they

Can to Control the Virus, there are obvious limitations when handling such a large scaled Population, and a widespread difficulty on obtaining medical equipment.

In form of my docket Sheet, and the Constitutional Law it is evident that I am due for an immediate release. I have a 76 year old mother at 5056 Broadway Apt #45, New York, NY 10034, who is alone, and is in need of my help.

I respectfully ask for an immediate release due to the merits decision in my favor. Thank you for your Consideration, as I hope to hear back from you soon.

Respectfully Submitted

A handwritten signature in black ink, appearing to be 'J. R. King', written over a horizontal line.

RECEIVED

2020 APR 28 PM 3:42

CLERK'S OFFICE  
U.S. COURT OF APPEALS

**Federal Correctional Institution**  
**PO Box 1000,**  
**Cresson, Pa 16630**

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DATE: 4-21-2020

Juan Diaz #71209-054  
Federal Correctional Institution  
Loretto (Low)  
Post Office Box 1000  
Cresson, Pennsylvania 16630

Legal Mail

JOHNSTOWN, PA 159

22 APR 2020

US MAIL  
SDNY



Clerk of Court  
Att: Judge Jesse M. Furman  
Thurgood Marshall Courthouse  
40 Foley Square  
New York, New York 10007

10007+1502